

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 28, 2002 LB 19, 863

Senator Chambers, has said, this was a bill that was carried last year by Senator Adrian Smith. I don't think there was ever any negative debate on the corpus, the basis, of the bill at all. The argument became relative to an amendment which Senator Chambers was able to attach to the bill. I visited briefly with Senator Chambers. I will implore him at this time that I hope that he will understand the necessity that this body has and, indeed, the state of Nebraska has to make the changes to Nebraska's license laws that are very important to protect the citizens of this state from discrimination. Lays out some content that I think is very important. The real estate laws of this state have needed some substantial updating for a period of time, and I think it's important that we send this bill along without being burdened. I've told Senator Chambers; he understands. He does have a sexual orientation bill, LB 19, which Nebraska Realtors Association has endorsed and has told him they will continue to support. I also am a supporter of that bill on its own merit. I would prefer, and I have no idea whether Senator Chambers is entertaining any notions at all, but I like to address these issues up front. The senator and I typically have a good dialogue and visit openly about these issues. I'll talk briefly to refresh you about what changes the bill actually makes. It does amend the Real Estate License Act, the agency disclosure statutes and the seller property condition disclosure statutes. And there's a long litany of things that the bill does cover. Exempts from the seller property condition disclosure statutes, this would exclude newly constructed residential real property which has never been occupied; any transfer from a third party relocation company as long as the relocation company has provided the disclosure statement from the most immediate seller unless that seller meets one of the other exceptions. It clarifies the seller's or landlord's agent has no duty to verify accuracy or completeness of disclosure statements made by the client, including the seller's property condition disclosure statement. Clarifies that the only obligation of a buyer's agent with respect to the seller disclosure forms delivered on or before the effective date of any binding purchase agreement. Clarifies the definition of client. Specify the licensee has a duty only to his or her own client. Clarifies list of tasks to be performed by the agent for the customer. Reduces the burden on commercial sales with